

MEMO ENDORSED

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December 16, 2010

Via Fax

The Honorable Frank Mass
United States Magistrate Judge
United States Courthouse
500 Pearl St., Courtroom 20A
New York, NY 10007-1312

We can meet that morning, but
I suggest we begin at 9:30 a.m.,
as I have another engagement at
noon that cannot be postponed.

FMS, USM,
12/16/10

Re: BayRock Group LLC v. Bernstein, Case No.: 10 Civ. 6338

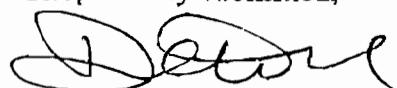
Dear Judge Mass:

This firm represents the defendant in the above-referenced matter. Due to the upcoming holidays and the unavailability of counsel, and with consent of plaintiff's counsel, this letter is written to request an adjournment of the settlement conference scheduled for December 29, 2010 at 2 p.m. This is the first request for an adjournment.

After contacting Chambers to secure an acceptable alternative date, we respectfully request that the conference be rescheduled on January 13 at 10:00 a.m.

USDC SDNY
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Respectfully submitted,



David C. Wrobel

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